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Submitted by Electronic Mail

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RE: Comments to the Draft Health-Based Maximum Contaminant Level Support Document:
Perfluorononanoic Acid (PFNA); Report on the Development of a Practical Quantitation Level for
Perfluorononanoic Acid (PFNA); and Recommendation on Perfluorinated Compound Treatment
Options for Drinking Water.

Dr. Cooper and Members of the DWQI:

For more than 100 years, the New Jersey State Chamber of Commerce has been working with state officials and agencies to create an environment that allows businesses to thrive and jobs to grow in New Jersey. Our membership of more than 1,200 member companies and associations represent 500,000 employees and billions of dollars in annual revenue. We believe that safe-guarding the environment and the quality of life for all those who live and work here is good business.

With these interests in mind, on behalf of our constituency, the State Chamber has several questions and concerns about the assumptions made and conclusions reached in the following reports:

- Draft Health-Based Maximum Contaminant Level Support Document:
Perfluorononanoic Acid (PFNA);
- Report on the Development of a Practical Quantitation Level for Perfluorononanoic Acid (PFNA);
- Recommendation on Perfluorinated Compound Treatment Options for Drinking Water.

The State Chamber's major concern is DWQI proposes to require water suppliers to test for and treat trace levels of PFNA without providing any information on what impact the proposed requirements would have on water suppliers and their customers. In addition, DWQI has failed to provide enough time or information to the public to properly evaluate the findings of the subcommittee reports.

From what the State Chamber can determine in the short time provided, DWQI is recommending a major expansion of water quality testing for a chemical with no proven or generally accepted human health impacts.

It is making this recommendation for drinking water although it has not determined how common it is to find trace levels of PFNA in water supplies in New Jersey, and cites no studies on populations exposed to PFNA in drinking water.

Yet, the DWQI recommendation, if accepted by the New Jersey Department of Environmental Protection (NJDEP), could result in significant costs to water customers, both businesses and residents, across the state.

If accepted by NJDEP, the DWQI recommendation will have the impact of regulation and by Gov. Chris Christie's Executive Order No. 2, all regulations are required to provide a cost/benefit analysis, per the Common Sense Principles for regulatory burdens.

- Has any analysis of costs versus benefits been performed?
- Does DWQI have information about the annual and ongoing costs of testing or, if necessary, treatment for PFNA found in drinking water? Is each water supplier with more than 13 ppt of PFNA expected to bear \$12 million in capital costs and \$80,000 a year in operating costs? That is the sole example for treatment costs for PFCs provided in the reports.
- Does DWQI assume that costs will be borne by water customers?

If accepted, the DWQI recommendation on PFNA levels in drinking water would make PFNA one of the most closely monitored chemicals in the New Jersey water supply. But the Health Effects subcommittee report acknowledges that it found no studies that looked at PFNA toxicity in drinking water, and the subcommittee does not claim PFNA causes cancer.

It is unclear how DWQI can characterize PFNA as toxic to humans in drinking water, much less set such a low Maximum Contaminant Level while acknowledging so little information exists. No other regulatory body in the United States has determined PFNA is toxic to humans in drinking water or required an MCL.

To perform this level of testing in New Jersey will require multiple tests within more than 500 drinking water systems, both municipal and commercial. New Jersey has no laboratories certified by NJDEP to perform this testing. Only a handful of laboratories across the country are certified by NJDEP for this level of PFNA testing.

- Has DWQI determined whether a handful of laboratories will be capable of performing the thousands of PFNA tests required?
- If the intent is to provide incentives for more laboratories to achieve NJDEP certification, does DWQI recommend a loan fund or other incentives for laboratories and, if so, how will it be funded?
- Has DWQI studied the logistics and feasibility of its proposed testing requirement?

The New Jersey State Chamber of Commerce has serious concerns that the DWQI recommendation will substantially increase the costs of supplying water to New Jersey's businesses and residents with no clear need or benefit to health and well-being. From the information provided or referenced by DWQI, it is unclear whether PFNA is toxic in drinking water to humans. The testing and potential treatment costs, which could be substantial but are as yet unknown, have no funding source.

There does not appear to be any emergency driving DWQI's recommendation. As such, the comment period should be extended for a period sufficient to fully explore all the potential implications of DWQI's recommendation and contrast them with a fully explored analysis of PFNA and its potential toxicity.

We appreciate the opportunity to provide comment and respectfully request that our issues and concerns be given proper consideration.

Sincerely,



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